



**IN THE DISTRICT COURT IN AND FOR COMANCHE COUNTY  
STATE OF OKLAHOMA**

BRIAN D. HOWARD and CAROL LYNNE  
HOWARD, as parents and next friends of  
BRIAN K. HOWARD, deceased,

Plaintiffs,

v.

THE GEO GROUP, INC., a Florida  
Corporation, d/b/a Lawton Correctional  
Facility; ALICIA MENEFFEE, RN,

Defendants.

CASE NO.: CJ-2014-846

**JURY TRIAL DEMANDED**

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FILED  
COMANCHE COUNTY  
2014 DEC 18 PM 2 02

**PETITION FOR RELIEF**

COME NOW Plaintiffs and for their Petition against Defendants The Geo Group, Inc. and Alicia Menefee allege and state as follows:

1. Brian D. Howard is the father of Brian K. Howard and is a resident of Stephens County, Oklahoma.
2. Carol Lynne Howard is the mother of Brian K. Howard and is a resident of the State of Georgia.
3. Plaintiffs are the parents next of friends of Brian K. Howard, deceased, formerly an inmate of Lawton Correctional Facility. Plaintiffs are indigent and are unable to afford an expert witness to provide them with a written report for this lawsuit, as required by Oklahoma law. Plaintiffs request they be excused from this requirement.
4. Defendant The Geo Group, Inc. ("Geo"), is a Florida Corporation, doing business as Lawton Correctional Facility in Comanche County, Oklahoma.
5. Defendant Alicia Menefee, RN is, and was at all times relevant to this action, an

employee of Defendant Geo, and, upon information and belief, is a resident of Comanche County, Oklahoma.

6. The events giving rise to this action occurred in Comanche County, Oklahoma.

7. Jurisdiction is proper in the Comanche County District Court since the amount in controversy exceeds \$10,000.00 and there is a defendant resident of Oklahoma.

8. Venue is proper in the Comanche County District Court because the acts giving rise to this lawsuit occurred in Comanche County and one or more of the Defendants resides in Comanche County.

9. Plaintiffs complied with the Oklahoma Tort Claims Act and gave notice of this lawsuit to The Geo Group and the State of Oklahoma. The claims were denied. Plaintiffs are filing this lawsuit within the time required by law.

#### FACTS

10. Plaintiffs incorporate the above paragraphs as though set forth below.

11. Brian K. Howard, deceased ("Decedent"), was an inmate in Lawton Correctional Facility ("LCF"), operated and staffed by Defendant Geo at the time of his death on July 14, 2013.

12. During the course of his incarceration and just days before his death, Decedent suffered a head injury and complained of headaches as a result.

13. On July 13, 2013, Decedent was found in his cell unconscious, or near it, on the floor of the cell.

14. He was taken to the medical ward of LCF where he was seen by Defendant Menefee.

15. Defendant Menefee and other employees or representatives of Defendant Geo

failed to properly diagnose, care for and/or treat Decedent. When they finally transported him from LCF on July 14, 2013, his condition was grave and he passed away.

16. Defendants were negligent in their supervision, custody, care, treatment and handling of Brian K. Howard. Defendant Geo is responsible for the acts of its employees and representatives and did not properly train or supervise its employees and representatives.

**FIRST CLAIM: NEGLIGENCE**

17. Plaintiffs incorporate the above as though set forth below.

18. Defendants owed Plaintiffs' son, Decedent, a duty to properly care for, supervise, diagnose and treat Decedent.

19. Defendants and other employees of Defendant Geo failed to exercise due care in fulfilling their duties to Decedent, an inmate under their supervision and care.

20. As a direct and proximate result of Defendants' negligence, Plaintiffs' son, Decedent, suffered great bodily harm, pain, and ultimately death.

21. As a direct and proximate result of Defendants' negligence, Plaintiffs have suffered damages in excess of \$10,000.00.

**SECOND CLAIM: WRONGFUL DEATH**

22. Plaintiffs incorporate the above paragraphs as though set forth below.

23. On July 13, 2013, Decedent was found in his cell unconscious, or near it, on the floor of the cell.

24. He was taken to the medical ward of LCF where he was seen by Defendant Menefee and other agents or employees of Defendant Geo.

25. Defendant Menefee and other employees or representatives of Defendant Geo failed to properly diagnose, care for and/or treat Decedent. When they finally transported him

from LCF on July 14, 2013, his condition was grave and he passed away.

26. Defendants were negligent in their supervision, custody, care, treatment and handling of Brian K. Howard. Defendant Geo is responsible for the acts of its employees and representatives and did not properly train or supervise its employees and representatives.

27. Decedent's death was directly and proximately caused by the actions of Defendants.

29. As a direct and proximate result of Defendants' wrongful actions, Plaintiffs have suffered damages in excess of \$10,000.00, including expenses, emotional distress, grief and loss of love and companionship. Plaintiffs' son, Decedent, also endured great pain of body and mind before his death.

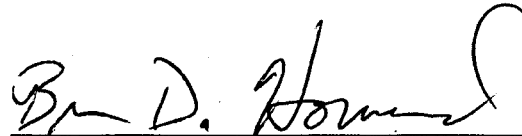
#### **PUNITIVE DAMAGES**

30. Plaintiffs incorporate paragraphs 1 through 35 as though set forth below verbatim.

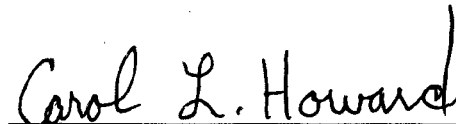
31. Defendants' actions were committed with reckless disregard of the rights of Plaintiffs' Decedent, causing Decedent's death and Plaintiffs to incur damages.

32. Plaintiffs are entitled to an award of exemplary, or punitive, damages in an amount sufficient to deter similar conduct in the future and to show the Defendants and public that society will not tolerate such actions.

WHEREFORE, Plaintiffs respectfully request this Court grant them judgment in an amount in excess of \$75,000.00 in damages, an award of exemplary damages in an amount sufficient to deter similar conduct in the future, pre-judgment interest, and all other relief this Court deems just and equitable.

A handwritten signature in cursive script, reading "Brian D. Howard". The signature is written in black ink and is positioned above a horizontal line.

Brian D. Howard  
212 West Pine  
Duncan, OK 73533  
(580) 736-3710

A handwritten signature in cursive script, reading "Carol L. Howard". The signature is written in black ink and is positioned above a horizontal line.

Carol L. Howard  
2967 Smyrna Church Road  
Sandersville, GA 31082  
(580) 475-2011